

United States District Court

MAY 29 2016

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Sammy Solis

PRINCIPAL

Case Number:

YOB: 1990

M-16-1041 -M

United States Citizen

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 05/27/2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Rudy Taufic Rivera-Reyes, a national of Honduras, and Jesus Guajardo-Hernandez, a national of the United Mexican States, along with nine (9) other undocumented alien, for a total of eleven (11), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On May 27, 2016 at approximately 1840hrs, Border Patrol Agent S. Enszer was contacted by the McAllen Station Tactical Operations Center (MCS TOC) via service radio about a call for assistance from the Texas Department of Public Safety (DPS). Agent Enszer arrived on scene at South Moorfield Road and Mile 1 South at 1915hrs. Contact was made with Trooper M. Westervelt and he stated that he was approached by a concerned motorist regarding a black jeep he witnessed picking up a group of people from a brushy area. Moments later, Trooper Westervelt observed the vehicle described and attempted to perform a traffic stop. At this time the driver pulled over to the side of the road and all subjects absconded over a wooden fence. Agent M. Johnson and his canine partner were contacted for assistance. Agent Johnson deployed his canine on the last location the group was seen running from the scene and alerted to the ground disturbances and human odor of the subjects. Agent Johnson and his canine tracked the subjects to the location they were apprehended.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Adan De Los Santos Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

May 29, 2016

Date

4:03 pm at

McAllen, Texas

City and State

Peter E. Ormsby, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- 1041 -M

RE: Sammy Solis

CONTINUATION:

Agent Johnson and his canine partner continued to search the area and came across another subject, later identified as Sammy Solis, an hour later in the same location. Based on the wallet and driver's license found on the driver seat of the vehicle which had been left behind, Sammy Solis was identified as the driver of the vehicle. All subjects were placed under arrest and transported to the McAllen Border Patrol Station for further interview and processing.

PRINCIPAL STATEMENT:

The driver Sammy SOLIS, was advised of his Miranda Rights. SOLIS stated that he understood his rights and agreed to answer questions and make a statement without a lawyer present.

SOLIS claims that on May 27, 2016 he was transporting aliens for a friend named Jose Martinez. He stated that Jose Martinez was going to pay him \$100 for each alien smuggled from Mission, Texas to Edcouch, Texas. He stated that this was his first time smuggling aliens but he has ties to the Chicano Brotherhood and was recently released from prison after serving five years on a deadly conduct conviction. Solis stated he knew the subjects he picked up were illegal and he knew it was illegal to transport them.

MATERIAL WITNESS STATEMENT:

Rudy Taufic RIVERA-Reyes and Jesus GUAJARDO-Hernandez were both advised of their Miranda Rights. RIVERA-Reyes and GUAJARDO-Hernandez, both indicated they understood thier rights and agreed to answer questions and make a statement without a lawyer present.

MATERIAL WITNESS STATEMENT: Rudy Taufic RIVERA-Reyes

Rudy Taufic RIVERA-Reyes is a citizen and national of Honduras. RIVERA-Reyes stated to have made smuggling arrangements over the phone with a smuggler from El Salvador. He stated he had paid \$3500 USD in Reynosa and was to pay an additional \$3500 USD once arriving to Houston. RIVERA-Reyes stated that a total of 13 people crossed the Rio Grande River with him on May 27, 2016. They were told by guides to cross a canal and there would be a black truck waiting to pick them up. RIVERA-Reyes stated that the guides gave the description of the vehicle they were to load up in, as being a black jeep. RIVERA-Reyes stated that he was seated in the rear driver's side of the vehicle and was unable to see the driver.

RIVERA-Reyes was shown a photo line-up of six individuals and was not able to identify Sammy SOLIS as the driver of the vehicle.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-1041 -M

RE: Sammy Solis

CONTINUATION:

MATERIAL WITNESS STATEMENT: Jesus GUAJARDO-Hernandez

Jesus GUAJARDO-Hernandez is a citizen and national of Mexico. GUAJARDO-Hernandez stated he made smuggling arrangements over the phone with an unknown smuggler. He was going to pay a total of \$4000 Mexican Pesos to be smuggled into the United States. GUAJARDO-Hernandez stated that on May 27, 2016 he crossed the Rio Grande River with an additional 13-15 people. He stated the guide told the group that they were to get into a black vehicle, which he describes as a Jeep Cherokee. He stated he was sitting in the back and was unable to see who was driving.

GUAJARDO-Hernandez was shown a photo line-up of six individuals and was unable to identify Sammy Solis as the driver of the vehicle.